ROUTINE ACCESS POLICY
FOR N.S. DEPARTMENT OF JUSTICE

N.S. Justice
October 22, 2003
Revised: February 15, 2005

1. POLICY STATEMENT

This "Routine Access" policy for the Nova Scotia Department of Justice is designed to provide persons with an opportunity to obtain certain categories of records without having to submit a *Freedom of Information and Protection of Privacy Act* application. It shall be administered in accordance with the following principles:

a) Personal Privacy

The policy shall be applied in a manner which will be considerate and protective of the personal privacy of individuals. Records subject to this policy shall be considered for release and severing in a manner consistent with the provisions of the *FOIPOP Act.*

b) Timeliness

The Department of Justice will respond to any "Routine Access" requests in a reasonable and timely fashion.

c) Cost Recovery

Fees for the reproduction and provision of records may be charged where authorized.

d) Transparency

This policy shall be made readily available to the public.

e) Reasonableness

This policy shall apply only to requests for reasonable quantities of records.

2. DEFINITIONS

Routine Access is the routine or automatic release, in full or in part, of certain types of administrative or operational records as a matter of course in response to a request without the need for a formal application for records under the *FOIPOP Act.*

Active Dissemination is the periodic and proactive release of information or records in the absence of a request using mechanisms such as the Internet, libraries, etc. Refer to Schedule A for types of information available on the Internet

FOIPOP Access is the release of a record in response to a formal FOIPOP application made under the *Freedom of Information and Protection of Privacy Act.*

A "Record" includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any

other mechanism that produces records". [clause 3(1) (k) *FOIPOP Act*]

3. POLICY OBJECTIVES

The objective of the implementation of this policy is the accessibility of certain records routinely without additional administrative time being required of staff to fulfill "Routine Access" requests. It is also to provide a greater certainty of access for those requesting information, and to reflect the spirit of openness and accountability of the FOIPOP legislation.

4. APPLICATION

This policy applies to all staff, and to all records designated under this policy in accordance with the attached Schedule B.

Routine Access requests only apply to information created after October 23, 2003.

This policy shall apply to requests for reasonable quantities of records and shall not apply to a request for more than 50 pages of records in a particular category and/or time period. Repetitive requests by an individual for significant volumes of records or the separation of a request into several small requests totalling a large volume, shall not be subject to the policy. It is important to ensure that the application of the Routine Access policy of the department not unduly interfere with the day-to-day operations of the department.

Requests made under Routine Access do not apply to information subject to exemptions under the *Act*.

Personal information may be severed with the same criteria and in the same manner as requests made under the *FOIPOP Act*.

5. POLICY DIRECTIVES

Once the policy is drafted, staff will be sent a memorandum advising of the existence of the policy. The policy will also be posted on the Department of Justice's Web site and a print version will be provided to all senior managers and staff who normally would receive requests from the public and the media for records subject to the Routine Access Policy.

The requests may be handled by the persons designated as having the responsibility of responding to Routine Access requests.

A tracking system will be designed to keep track of the records provided through Routine Access.

6. POLICY GUIDELINES

Once a request for "Routine Access" to a particular record, or set of records, has been received by a designated person, it shall be reviewed to determine if the records are listed in Schedule B.

If the policy applies to the request, the records shall be provided to the applicant within a reasonable period of time, but no later than 30 days from receipt of the request.

If the policy does not apply to the request, a response to the requester shall be provided promptly and shall indicate what other avenues may be available to obtain the information (ie. already provided through active dissemination, filing a FOIPOP request, or referred to another department or agency).

Individuals who apply under the *FOIPOP Act* for records available under the Routine Access Policy will have their application fee returned and the records provided.

7. ACCOUNTABILITY

The Deputy Minister of the Department of Justice shall be accountable for the implementation of this policy.

8. COMPLIANCE

The FOIPOP Coordinator in the Department of Justice shall be responsible for ensuring the tracking and compliance of this policy which shall be subject to audit by the N.S. Government Corporate Internal Audit Unit.

9. EVALUATION

The "Routine Access" Program established under this policy shall be evaluated on an annual basis by the FOIPOP Coordinator. Statistics on the number and types of records being requested will be kept.

10. REFERENCES

Requests made under the Routine Access Policy will be subject to the following:

Section 27 of the *FOIPOP Act* which sets the parameters for dealing with personal information.

Section 32 of the *Maintenance Enforcement Act* sets the parameters for releasing confidential information with respect to maintenance orders.

Section 23 and 24 of the *Young Persons' Summary Proceedings Act* which sets the

parameters for releasing the names and personal information relative to young offenders

Sections 23, 34 and 39 of the *Fatality Investigations Act* which sets the parameters for the release of fatality investigations and reports.

11. INQUIRIES

FOIPOP Office
424-5585

Communications
424-6811/424-7125

or email at: rtnaccss@gov.ns.ca

12. APPENDICES

Appendix A: Examples of information provided through Active Dissemination
Appendix B: Schedule of records available through Routine Access.

Schedule A

1. Minister's biography and department overview (i.e. mission statement, goals, etc.)

2. Services and Divisions - information about each division of justice and the services and programs it provides.

3. Department contacts - list of phone, fax, email and mailing addresses for each major divisional and geographical offices.

4. Educational information - information, videos and tips on topics such as self representation in court, elder abuse, and scams.

5. Programs - information on all programs available to the public (i.e. restorative justice).

6. Publications - all publications and reports available to the public, from 1998 to present (i.e. The Kaufman Report).

7. Current issues - information on current issues of importance to the public (i.e. Sunday shopping).

8. News releases - link to all justice news releases posted on the CNS site.

9. Regulations - link to the registry of regulations

10. Related links - links to all other provincial justice departments and other important agencies (Law Reform Commission of NS).

11. Facts & statistics - statistics and information on topics ranging from NS Legal Aid expenditures to restorative justice brochures.

Schedule B

1. General Requests
   - the Department of Justice, through its various divisions, will provide readily available statistics upon verification that the information does not have personal information.
   - final program audits by N.S. Government Corporate Internal Audit Unit
   - general policy statements of the department
   - general information on programs of the department
   - OHS Routine Inspection Reports that, in the judgement of the department, do not contain security related information.

2. Human Resources Division:
   General:
   - organizational charts with position titles
   - generic information of benefits and hours of work
   - job descriptions, pay scale, classification of positions (unionized, non-unionized)
   - secondment agreements, both within government and outside, excluding personal information and service or product trade secrets
   - personal service contracts of individuals not appointed pursuant to the Civil Service Act, excluding personal information and service or product trade secrets
   - adjudication decisions of grievances filed by union employees
   - per diems for Justice-related agencies, boards and commissions
   - Justice Learning Centre calendar subject to security concerns

   Selection and Hiring process:
   - # of applicants for position
   - # of persons interviewed
   - identity of selection panel to applicant only
   - screening criteria contained in job posting
   - name of successful candidate, once offer of employment has been accepted

3. Finance and Administration Division
   Expense/Travel claims:
   - individual expense claims for a three month period within the current fiscal year and for a maximum of three individuals in the department at any one time.
   - Ministerial monthly expense summary
   - contracts for goods and service, excluding personal information and service or product trade secrets.

   Note: The Department will provide expense claims but will do so only after severing telephone numbers, address, Social Insurance Number and employee numbers.

   Other expenses:

- cost of renovations for specific offices carried out within the previous six months
- cost of special or specific events (ie, conferences, luncheons, workshops, training, etc. within three months of event having taken place)
- cost of sending a delegation out of the province or out of the country
- overtime expenditures (current year-to-date) for specific departments or divisions
- expenditure reports, by category, (eg. salaries, travel, etc.) for a maximum of three per fiscal year
- contracts for construction and/or renovations of Justice facilities

4. Policing and Victims Services
   - Audits of Municipal Police Agencies (*personnel and security issues may be severed)
   - Standard Operating Procedure for Police Agencies except where the record could endanger the safety of persons or reveal the identity of a confidential source of law enforcement
   - Provincial Police Service Agreement between RCMP and the Province

5. Court Services
   - roster of mediators/assessors for Family Division matters

6. Corrections Services
   - escape statistics
   - cell death statistics

7. Information Management Division
   - Justice Indicators
   - Summary of program evaluations and reports